

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK INVESTMENTS, INC.,	:	CIVIL ACTION
	:	NO. 03-4369
Plaintiff,	:	
	:	
v.	:	
	:	
ACE AMERICAN INSURANCE CO.,	:	
ET AL.,	:	
	:	
Defendants.	:	

THIRD AMENDED SCHEDULING ORDER

**AND NOW**, this **6th day** of **July 2004**, following a telephone conference, it is hereby **ORDERED** that:

1. All discovery shall be completed by **September 6, 2004** (pursuant to Federal Rule of Civil Procedure 26(a)(2), the parties' experts' identities and their reports (including any curricula vitae) shall be disclosed by **September 6, 2004**; defendants shall have 30 days thereafter to disclose reply reports);

2. Any motions for summary judgment shall be filed by **September 6, 2004**, provided that the parties submit a statement of uncontested facts with any such motion. Responses to any motions for summary judgment shall be filed within the time permitted under Local Rule of Civil Procedure 7.1(c);

3. Pretrial memoranda pursuant to Local Rule of Civil Procedure 16.1(c); proposed voir dire questions, jury

instructions,<sup>1</sup> special interrogatories, and verdict forms for a jury trial (or proposed findings of fact and conclusions of law for a non-jury trial); and any motions in limine shall be filed (with a copy of each also delivered to Chambers)<sup>2</sup> by **September 30, 2004;**

4. The case shall be placed in the trial pool on **October 7, 2004.** Once placed in the trial pool, a case may be called to trial upon 24 hours' notice to counsel; and

5. Plaintiff's counsel shall advise the Court promptly of any settlement of the case.

**AND IT IS SO ORDERED.**

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**EDUARDO C. ROBRENO, J.**

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1. Each proposed jury instruction should be numbered, should appear on a separate page, and should include citations to the authorities supporting the proposed instruction.

2. When possible, a courtesy copy of proposed jury instructions (or proposed findings of fact and conclusions of law) should be submitted to Chambers on an IBM-compatible computer diskette, in addition to the hard courtesy copy.